

# HUMAN RIGHTS

**PROGRAM:**

Discrimination Investigations

**PROGRAM ELEMENT:**
**PROGRAM MISSION:**

To eliminate discrimination in employment, real estate transactions, and public accommodations and to address and resolve complaints of hate/violence

**COMMUNITY OUTCOMES SUPPORTED:**

- Foster respect for the law
- Assure equal opportunity
- Encourage and appreciate diversity
- Enhance the quality of life

**PROGRAM MEASURES**

	FY01 ACTUAL	FY02 ACTUAL	FY03 ACTUAL	FY04 BUDGET	FY05 CE REC
<b>Outcomes/Results:</b>					
Total monetary relief obtained (\$)	420,336	555,433	450,817	500,000	500,000
Percentage of complaints settled voluntarily	29	20	28	30	30
Percentage of mediated cases resolved	41	24	43	40	50
Relief obtained from conciliations (\$)	76,596	68,611	316,850	54,000	60,000
<b>Service Quality:</b>					
Average age of cases dual filed with the EEOC (days) <sup>a</sup>	NA	NA	NA	570	620
Total number of cases in inventory	278	310	275	250	300
<b>Efficiency:</b>					
Complaints closed per work year	17.0	17.3	20.0	18.3	22.0
Average cost per case closed (\$)	4,294	4,186	3,890	4,647	3,991
<b>Workload/Outputs:</b>					
Complaints closed	221	226	259	220	264
Training and technical assistance sessions provided	15	13	21	15	20
<b>Inputs:</b>					
Expenditures (\$000)	949	946	1,004	1,029	1,076
Workyears	13.0	13.0	13.0	12.0	12.0

**Notes:**

<sup>a</sup>The Office dual files employment complaints (about 70% of all cases) with the Federal Equal Employment Opportunity Commission (EEOC) at intake. The average age of a complaint filed with the EEOC is an estimate since the current EEOC computer system does not have accurate information on the dual-filed Office of Human Rights inventory. The EEOC is in the process of replacing the old system with a new Web-based system.

**EXPLANATION:**

This program is a civil rights law enforcement operation which receives, investigates, and resolves formal complaints of discrimination in employment, real estate, and public accommodations on the basis of race, color, religious creed, ancestry, national origin, age, sex, marital status, sexual orientation, disability, source of income, and the presence of children. This program also receives and investigates hate/violence complaints. A structured intake program evaluates and validates intake inquiries. Once a complaint is accepted, both parties are offered mediation. Cases which fail or do not elect mediation are investigated and resolved or settled with findings on the merits of the complaint. A *de novo* public hearing (administrative trial) before the Commission on Human Rights is mandatory for those discrimination cases which cannot be voluntarily settled. Relief and penalties can be ordered by the Commission. The Office of Human Rights now has jurisdiction over private employers with one or more employees, the Montgomery County Government, real estate transactions, and places of public accommodation.

**PROGRAM PARTNERS IN SUPPORT OF OUTCOMES:** U.S. Equal Employment Opportunity Commission; other Federal, State, and local civil rights enforcement agencies.

**MAJOR RELATED PLANS AND GUIDELINES:** Chapter 27, Article I, Montgomery County Code; Title VII of the Civil Rights Act of 1964; Title VIII of the Civil Rights Act of 1968; Article 49B, Maryland Annotated Code; judicial precedent.

## HUMAN RIGHTS

PROGRAM:		PROGRAM ELEMENT:				
Fair Housing						
PROGRAM MISSION:						
To ensure that all citizens of Montgomery County are afforded equal housing opportunities regardless of their race, color, religious creed, ancestry, national origin, sex, sexual orientation, marital status, presence of children, age, physical or mental handicap, or source of income						
COMMUNITY OUTCOMES SUPPORTED:						
<ul style="list-style-type: none"><li>• Knowledge of and respect for Fair Housing laws</li><li>• Provision of equal housing opportunities</li><li>• Understanding of individual rights and responsibilities</li><li>• Appreciation and encouragement of diversity</li></ul>						
PROGRAM MEASURES		FY01 ACTUAL	FY02 ACTUAL <sup>a</sup>	FY03 ACTUAL	FY04 BUDGET	FY05 CE REC
Outcomes/Results:						
Commission and court complaints filed (enforcement actions taken)		3	<sup>b</sup> 5	1	6	15
Service Quality:						
Average age of Commission complaints (days)		371	362	235	150	150
Efficiency:						
Average cost per test for lending tests (\$) <sup>c</sup>		†	†	†	370	380
Average cost per test for rental tests (\$) <sup>d</sup>		139	634	172	168	180
Average cost per test for new construction testing <sup>e</sup>		139	118	121	86	100
Average cost per test for sales testing <sup>f</sup>		†	490	†	524	550
Workload/Outputs:						
Paired tests conducted to determine levels of discrimination <sup>g</sup>		134	234	153	225	200
Training and outreach sessions held		23	28	13	40	40
Inputs:						
Workyears <sup>h</sup>		3.5	4.0	4.5	4.5	<sup>i</sup> 5.0
Expenditures (\$) <sup>h</sup>		339,775	288,187	245,833	323,310	279,790
Notes:						
<sup>a</sup> The Fair Housing Coordinator position was vacant and then frozen for 0.5 workyears, which affected <i>all</i> program measures during FY02.						
<sup>b</sup> In addition to the 5 Commissioner charges filed, 3 cases were settled, and 12+ cases were under review by the County Attorney, an independent Contractor, and the Compliance Director to determine the next appropriate action.						
<sup>c</sup> A † indicates that no tests of the given type were undertaken in that year.						
<sup>d</sup> FY01 unit costs are for in-house testing, while the average costs for FY02 include in-house and contract testing. For FY03 and subsequent years, all rental testing is conducted using in-house staff.						
<sup>e</sup> In-house testing.						
<sup>f</sup> Contract testing. A † indicates that no tests of the given type were undertaken in that year.						
<sup>g</sup> Combination of in-house and contract testing, except FY01 which is in-house only.						
<sup>h</sup> Expenditure and workyear figures include support from the General Fund, CDBG/HOME funds, and (through FY02) the Landlord-Tenant Affairs Fund. In FY02, the Office was provided with additional grant funding for rental and sales tests to be conducted by outside contractors.						
<sup>i</sup> 0.5 workyears will be dedicated to the Community Mediation for Hate/Violence Incidents program.						
EXPLANATION:						
The Fair Housing Program is designed to enforce housing discrimination laws; coordinate the efforts of County departments, offices, and agencies to prevent housing discrimination; promote fair access and treatment through data analysis, testing, education, training, and outreach; and provide support for the Interagency Fair Housing Coordinating Group. This program actively reaches out to professionals in the housing industry and to the community at large to provide training on fair housing laws, including a fair housing unit which has been incorporated into the 10th grade social studies curriculum in Montgomery County schools. The extent of housing discrimination in the County is determined through an active testing program using matched pairs of testers, as well as special studies such as the biannual mortgage lending study which analyzes the performance of major lending institutions in the County. Enforcement actions are taken as appropriate; the Office of Human Rights works closely with the County Attorney's Office in these efforts.						
PROGRAM PARTNERS IN SUPPORT OF OUTCOMES: County Attorney's Office, Department of Housing and Community Affairs, Housing Opportunities Commission, US Department of Housing and Urban Development, Maryland Commisison on Human Rights, Montgomery County Public Schools, professional trade associations, financial institutions, community-based organizations.						
MAJOR RELATED PLANS AND GUIDELINES: Chapter 27, Montgomery County Annotated Code; Section 49B of Maryland State Code; Federal Fair Housing Amendments Act; Civil Rights Act of 1866; Equal Credit Opportunity Act; Truth in Lending Act; Community Reinvestment Act; Home Mortgage Disclosure Act; Americans with Disabilities Act; Analysis of Impediments to Fair Housing; A Fair Housing Plan for Montgomery County.						